

Counsel for Defendant
JOSE RUIZ

UNITED STATES OF AMERICA,)	No. CR 11-00899-DLJ
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	SENTENCING HEARING; []
vs.)	ORDER
)	
JOSE RUIZ,)	
)	
Defendant.)	

2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty before this Honorable Court. The sentencing hearing was scheduled for June 27, 2013.

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3. Mr. Ruiz's sentencing hearing was scheduled for June 27, 2013, though he requested a continuance for personal reasons, which the government did not oppose and the Court granted. Counsels have conferred and July 18, 2013 is a mutually agreeable date.

4. Accordingly, the parties respectfully request that the sentencing hearing be continued to July 18, 2013, at 10:00 a.m.

IT IS SO STIPULATED.

Respectfully submitted,

STEVEN G. KALAR
Federal Public Defender

/s/

Dated: July 2, 2013

ROBERT M. CARLIN
Assistant Federal Public Defender

UNITED STATES ATTORNEY

/s/

Dated: July 2, 2013

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JOSE RUIZ

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00899-DLJ
)	
Plaintiff,)	[] ORDER ON
)	STIPULATION TO CONTINUE
vs.)	SENTENCING HEARING
)	
JOSE RUIZ)	
)	
Defendant.)	

1. On December 7, 2011, Mr. Ruiz was charged in a single count indictment with a violation of 8 U.S.C. § 1326 (a) and (b).

2. Following plea negotiations with the United States, Mr. Ruiz elected to decline the offer of a fast-track plea disposition and on January 17, 2013, he changed his plea to guilty before this Court. The sentencing hearing was scheduled for June 27, 2013.

3. Counsel visited Mr. Ruiz on June 26, 2013, planning to discuss the sentencing hearing that was scheduled for the next day. Mr. Ruiz related that he had recently learnt that two of his uncles had been murdered in El Salvador within the preceding two weeks. Utterly disconsolate and barely able to speak, Mr. Ruiz said that he could not face a sentencing hearing and asked whether it could be continued to allow him time to grieve.

STIPULATION TO CONTINUE SENTENCING
HEARING; [] ORDER
No. CR 11-00899-DLJ

1 4. For the above stated reasons, the sentencing hearing shall be continued to July 18,
2 2013, at 10:00 a.m.

3 IT IS SO ORDERED.

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5 Dated: JUL 10 2013



HON. D. LOWELL JENSEN
United States District Judge